REMARKS/ARGUMENTS

Overview of the Office Action

The Office Action mailed June 15, 2004 has been reviewed and carefully considered. Claims 1-11 are pending in this application, with claims 1 and 6 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

In the Office Action mailed June 17, 2002, claims 1-3 and 5 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,739,965 (Ohno).

Claims 6-11 are allowed.

Claim 4 was found to contain allowable subject matter and would be allowable if rewritten in independent form. However, in view of the allowability of claim 1, the dependency of claim 4 has been retained.

Descriptive Summary of the Invention

Before discussing the cited prior art and the Examiner's rejections of the claims in view of that art, a brief summary of the present invention is appropriate. This summary is based on the disclosure and is presented only for the Examiner's convenience. It is not intended to argue any unclaimed limitations. The present invention relates to an image pickup lens for use in a cellular terminal. The present invention includes, in order from an object side, an image pickup lens having an aperture stop, a meniscus-shaped first lens L1, and a second lens L2 (see page 3, lines 8-13; page 20, lines 15-21; and Fig. 1 of the present specification). Furthermore, the first lens L1 has a positive

-2-

refracting power (see page 3, line 10). Moreover, the first and second lenses satisfy the following

conditional expression:

$f1/|f2| < 1.0$

wherein, f1 is a focal length of the first lens and f2 is the focal length of the second lens (see page 3,

lines 13-19).

Claim 1 is patentable over Ohno

Independent claim 1 expressly recites

(1) "a meniscus-shaped first lens having positive refracting power",

(2) that the first and second lenses satisfy the conditional expression $f1/|f2| < 1.0$, and

(3) that the first lens is arranged closer to the object (because claim 1 lists the lenses "in the

order named from an object side").

Ohno discloses a wide angle lens system for a camera. Ohno discloses a first lens L1 and a

second lens L2, wherein the first lens is arranged closer to the object (see col. 4 lines 1-5 and Fig. 1

of Ohno). However, Ohno discloses that the relationship between the focal length of the first lens f1

and the focal length of the second lens f2 is $-0.10 < f2/f1 < 0.7$ (see col. 4, line 8) and that the

second lens has a positive power (col. 1, lines 48-49). When the first lens of Ohno has a positive

power, the ratio $f2/f1$ is from 0 to < 0.7. However, independent claim 1 defines $f1/f2$, which is the

inverse of $f2/f1$. The ratio f1/f2 in Ohno is greater than 1.0 when the first lens of Ohno has a

positive power, and is therefore outside of the range of $f1/|f2| < 1.0$, as expressly recited in

independent claim 1.

When the first lens of Ohno has a negative power, the ratio $f1/|f2|$ is a negative number, which is less than 1.0. However, independent claim 1 requires that the first lens has a positive power. Accordingly, Ohno fails to teach or suggest the configuration of the first and second lenses recited in independent claim 1.

The Examiner refers to col. 4, lines 50-67 and col. 5, lines 1-5 in Ohno to show the claimed relationship. However, this section of Ohno discloses a first lens with a <u>negative</u> focal length (see col. 5, line 2).

The other specific examples disclosed by Ohno are also outside of the recited range. Examples II-IV all disclose ratios $f1/|f2|$ that are greater than 1.0 (see col. 5, lines 65-66; col. 6, lines 63-64; and col. 7, lines 63-64).

In view of the above remarks, it is respectfully submitted that independent claim 1 is not anticipated under 35 U.S.C. §102.

Since Ohno discloses that the focal length of the second lens is a positive and that the relationship of the focal lengths of the lenses is $-0.10 < f2/f1 < 0.7$, there is no teaching or suggestion for a lens having a first lens with a positive focal length and a relationship of the focal lengths of $f1/|f2| < 1.0$ (i.e., $|f2|/f1 > 1.0$). While both the claimed invention and Ohno strive to achieve a wide angle lens having a small size, Ohno achieves the result using a lens configuration substantially different from the claimed invention. Accordingly, independent claim 1 is clearly unobvious over Ohno under 35 U.S.C. §103.

Dependent claims 1-3 and 5, being dependent on independent claim 1, are deemed allowable for at least the same reasons expressed above with respect to independent claim 1.

The application is now deemed to be in condition for allowance, and prompt and favorable action to that effect is respectfully solicited.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By _____
Thomas Langer
Reg. No. 27,264
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: October 15, 2004